

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ORN RAT KEAWSRI, et al.,

Plaintiffs,

-v-

RAMEN-YA INC. et al,

Defendants.
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17-cv-02406 (LJL)

ORDER

LEWIS J. LIMAN, United States District Judge:

On October 2, 2023, Plaintiffs Ornrat Keawsri, Sachina Nagae, Takayuki Sekiya, Siwapon Topon, Pimparat Ketchatrot, Thiratham Raksuk, Parichat Kongtuk, Tanon Leechot, Thanatharn Kulaptip, Wanwisa Nakwirot, Natcha Natatpisit, and Parada Mongkolkajit (collectively “Plaintiffs” or “Judgment Creditors”) moved, pursuant to the Court’s inherent power, for an Order adjudging that Defendant and Judgment Debtor Kenji Kora (“Kora”) was in civil contempt of the Court for his failure to comply with this Court’s Order dated July 6, 2023, Dkt. No. 681, directing Kora to pay \$149,000 to Judgment Creditors. Dkt. No. 750. On November 15, 2023, the Court granted the motion, held Kora in civil contempt of the Court, and imposed a sanction on Kora of \$1,000 per diem, beginning on November 28, 2023, for each day that he remained in violation of the Court’s July 6, 2023 Order. Dkt. No. 770.

On December 7, 2023, Judgment Creditors and Kora informed the Court that they had reached an agreement regarding the timing of Kora’s payment of the outstanding \$149,000 owed to Judgment Creditors (the “Agreement”). Dkt. No. 780. The Agreement provides for Kora to pay \$100,000 to counsel for Judgment Creditors (in two separate installments) on or before December 4, 2023, and to pay the remaining \$49,000 in monthly installments of \$3,000 on the

fifth day of each month commencing on January 5, 2024, and continuing through March 5, 2025, with a final payment of \$4,000 to be made on or before April 4, 2025. *Id.* The parties have also agreed that if Kora fails to make a timely installment payment as required by the Agreement, he will pay to the Judgment Creditors the sanctions ordered by the Court on November 15, 2023.

The Court held a hearing on December 7, 2023, at which respective counsel for Judgment Creditors and Kora appeared. At the hearing, counsel for Judgment Creditors and counsel for Kora did not object to the Court issuing an Order modifying its previous Order holding Kora in civil contempt. In accordance with the terms of the Agreement, and with the discussion at the December 7, 2023 hearing, Kora is excused from the obligation to pay contempt sanctions unless and until Kora fails to comply with the Agreement. Should Kora fail to comply with the Agreement, the Court will entertain a motion from Judgment Creditors to reimpose sanctions of \$1,000 per diem, with the running of sanctions to begin only if and when Kora violates the Agreement. Kora may opposed any such motion.

SO ORDERED.

Dated: December 7, 2023
New York, New York

A handwritten signature in black ink, appearing to read 'L. Liman', is written over a horizontal line.

LEWIS J. LIMAN
United States District Judge